REMARKS

This Response is submitted in reply to the Office Action dated September 22, 2005. Claims 26, 27 and 35-37 were rejected under 35 U.S.C. § 101. Claims 30, 33 and 36 were rejected under 35 U.S.C. § 112. Claims 1, 11-14 and 23-27, 29, 30, 32, 33, 35 and 36 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hug et al., U.S. Patent No. 5,806,078 (Hug). Claims 31, 34 and 37 were rejected under 35 U.S.C. § 103(a). Claims 1, 11, 14, 23, 26, 27 and 35-37 have been canceled. Claims 12, 13, 24, 25 and 29-34 have been amended. Claims 38 and 39 are new. No new matter has been added. The new claims and amended claims are not intended to narrow or disclaim the claimed subject matter in view of same. At least for the reasons set forth below, Applicant believes that the rejections raised in the Office Action have been overcome and thus should be withdrawn.

Claims 26, 27 and 35-37 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, the Office has found objectionable the definition of "computer readable medium" as provided in the specification. While Applicant respectfully disagrees with such, in the interest of fully cooperating with the Patent Office and furthering the prosecution of the presently pending application, Applicant respectfully cancels claims 26, 27 and 35-37, thereby making moot the rejection under 35 U.S.C. §101. Accordingly, Applicant respectfully requests that the Patent Office withdraws such rejection.

Claims 30, 33 and 36 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, Applicants have amended claims 30 and 33 as provided above. This amendment was entered for clarification purposes and further, not intended to narrow or disclaim the claimed subject matter in view of same. Applicant respectfully submits that the rejection of claim 36 is moot, as it was canceled. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 112 be withdrawn.

Of the pending claims at issue with respect to the anticipation rejection in view of Hug, claims 1, 14 and 26 are independent claims. Applicant respectfully submits that claims 1, 14 and 26 were canceled, and therefore Applicant respectfully submits that the anticipation rejection of such claims be withdrawn. With respect to the remaining claims that are at issue and depend therefrom, the dependency of such claims has been changed to depend from new claims 38 and

39. As discussed in greater detail below, Applicant believes that new claims 38 and 39 should be considered distinguishable over the cited art and thus the anticipation rejection should be withdrawn for at least these reasons.

Claims 31, 34 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hug in view of the alleged admitted prior art. Applicant respectfully submits that in reference to claim 37, the claim was canceled, and thus, the rejection of such claim is moot and should be withdrawn. Further, with respect to claims 31 and 34, these claims have been amended to depend from new claims 38 and 39. Accordingly, Applicant respectfully submits that the patentability of claims 38 and 39 as discussed below renders moot the obviousness rejection of claims 31 and 34. At a minimum, the cited art fails to teach or suggest the features of claims 31 and 34 in combination with the features of new claims 38 or 39 based on at least the above reasons discussed below where Hug, alone or in combination with the alleged admitted prior art, cannot be relied on solely in support of the obviousness rejection. Accordingly, the obviousness rejection should be withdrawn.

As previously discussed, Applicant has entered new independent claims 38 and 39, where claim 38 is directed to an information processing apparatus having: storage means for repeatedly storing application data in a plurality of different stored states when said application is operated, wherein each of said different stored state of said application data includes time information corresponding to at least one of a day and time at which said data is stored; an application program for use with said application data; said application program includes: transmit means for transmitting time information to another application program; receive means for receiving time information from said another application program; time setting means for setting at least one of desired day and time in said application program; control means for locating application data from said stored plurality of different sets of said application data at about at least one of said set day and time and for reproducing the state of said application program by using said located application data; wherein when said at least one of day and time is set by said time setting means, said transmit means transmits at least one of said set day and time information to another application, and control means of said another application program locate another application data from said stored plurality of different sets of another application data at time closest to at

least one of said received day and time information and reproduce the state of said another application program by using said located another application data.

New claim 39 is directed to an information processing method including: repeatedly storing application data in a plurality of different stored states when said application is operated, wherein each of said different stored state of said data includes time information corresponding to at least one of a day and time at which said data is stored; transmitting said time information from an application program to another application program; receiving, in said application program, time information corresponding to at least one of a day and time from said another application program; setting at least one of a day and time in said application program based on said time information received from said another application program; and locating another application data by said another application program from said stored plurality of different sets of another application data at a time closest to at least one of said received day and time information and reproduce the state of said another application program by using said located another application data.

Applicant believes that Hug fails to disclose or suggest at least a number of features of the claim language. For example, Applicant believes that Hug at least fails to disclose, in part, reproducing the state of said application program by using said located application data. Thus, the claim language provides, in part, that when each application receives time information from another application, it is possible to synchronize "time of application" to the time information as further supported in the Specification as discussed below in greater detail.

Further, Applicant respectfully disagrees with the Patent Office that it would have been obvious to one of ordinary skill in the art that an application program can operate on different computers and exchange data using a computer network or the Internet. However, even in light of such, Hug, in combination with the alleged admitted prior art, fails to make obvious the claimed subject matter.

For example, in the case of an image browser, when time information is received from another application, the state of the application is changed to display the image photographed at the time closest to the received time. In the application which realizes the desktop environment is capable of moving in time, when time information is received from another application, the state of the desktop of the time corresponding to the received time is reproduced on the screen.

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That is, in the application which realizes the desktop environment which is capable of moving in time, the file icons and the tags which were placed on the desktop at the time corresponding to the time information received from the other application are reproduced at the same positions.

In the application which realizes the desktop environment which is capable of moving in time, for example, a file icon is reproduced on the desktop to correspond with the time information received from the other application that is opened. Then, the state of the file at the time corresponding to the received time is reproduced and displayed on the screen. See, for example, Specification, page 31, line 6 through page 32, line 7.

Therefore, Hug, alone or in combination with the alleged admitted prior art, is distinguishable from the claim language and should be withdrawn in view of same at least based on the reasons discussed above.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

BY _____
Thomas C. Basso
Reg. No. 46,541
Customer No. 29175

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